

CHAPTER ONE

PURPOSE AND GENERAL PROVISIONS

Section 1-10 General Provisions - The Christian County Commission hereby orders that no plat of any subdivision of land, no legal instrument creating a new tract of land, or new survey shall be recorded, no land be excavated, and that no building or other structure shall be erected, constructed, reconstructed, or enlarged nor the use of any land changed without a permit, if required, issued pursuant to these Codes.

Section 1-15 Purposes of these Codes - These Codes are designed to manage the growth and development of Christian County so as to achieve the objectives authorized by law, those being:

- A. To conserve and protect the natural resources of the County, to insure efficient expenditure of its public funds, and to promote the health, safety, convenience, prosperity and general welfare of its inhabitants. (Revised Statutes of Missouri 64.550);
- B. To provide for the proper location and width of streets, building lines, open spaces, safety, recreation, and for the avoidance of congestion, including minimum width and area of lots in subdivisions. (RSMo 64.580);
- C. And to conserve and protect property and building values, to secure the most economical use of the land, and to facilitate the adequate provision of public improvements (RSMo 64.620).

Section 1-20 Authority - These Codes are adopted pursuant to the authority of RSMo 64.510 through 64.695, which enables counties to adopt subdivision and zoning regulations. Whenever any provision of this development code refers to or cites a section of the State statutes and that section is later amended or superseded, the development code shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

Section 1-25 Repeal - Existing ordinances are repealed to the extent of their inconsistency with these Codes.

Section 1-30 Relationship to Other Regulations - If state or federal law or future County ordinances impose additional or duplicative standards for developments regulated by these Codes, the more restrictive standard shall be met by the development.

Section 1-35 Severability - If any portion of these Codes or its application to specific circumstances is held invalid by a court, the remainder of the Codes and its application in other circumstances shall be unaffected.

Section 1-40 Burden of Proof - Subject to Sections 4-40, F - Burden of Proof and 4-65, H - Burden of Proof; the burden of proof shall be on the developer in all proceedings pursuant to these Codes.

Section 1-45 Amendments - Amendments to these Codes shall be made as provided by law (see RSMo 64.670). To provide an annual review of the Codes, the Christian County Planning and Zoning Commission shall schedule Unified Development Code meetings in February. These meetings shall be devoted to a review of permits issued during the previous year, to a hearing of public comments on the Codes, and to the initiation of amendments the Planning and Zoning Commission may consider necessary to improve the Codes' performance as a growth-management tool. (Refer to Section 4-50 to Section 4-54)

Section 1-50 Permits - A separate application shall be required for each development. Each application for permit shall contain the information required by these Codes and shall be submitted to the Designated Official.

Section 1-55 Civil Enforcement - Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages and restrain, correct, or abate a violation, to prevent illegal use / occupancy of a building, structure or premises.

Section 1-60 Conflict with Private Provisions - These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive or higher standards than the requirements of these regulations, and such private provisions are not inconsistent with these regulations or determinations hereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made hereunder. Private provisions are enforceable only by private persons as provided therein and are not enforceable by government agencies.

Section 1-65 Enforcement, Violations, and Penalties - It shall be the duty of the Designated Official to enforce these regulations and to bring to the attention of the Christian County Prosecuting Attorney any violations or lack of compliance herewith. Any person, firm, or corporation that fails to comply with or violates any of these regulations shall be deemed guilty of a misdemeanor and be subject to a fine of not more than one thousand dollars (\$1,000) or imprisonment in the County jail for a period not exceeding one (1) Year, or both. Each day of violation constitutes a new offense. (See Section 4-20 - Enforcement and Review).